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Children's Advocate



Working for Youth in Care



2000 - 2001
Annual
Report



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INTRODUCTION

This is my fourth and last annual report as the Alberta Children's Advocate. It has been my job to speak for the many young people in the child welfare system who would not otherwise have a voice. It has been a privilege to serve in this office and it is a responsibility I have tried to carry out with the utmost integrity. I have been greatly assisted in this duty by a number of dedicated women, men and young people who have taught me what it means to be an advocate, who have challenged me to do my best, and who have supported me when I felt alone in the task. As an advocate, one sees a side of the child welfare system that is generally seen only by the children and youth who are in the care of the system. While I know there are many young people who are well cared for in the child welfare system, in the four years I've been the Children's Advocate I've learned a great deal more about those aspects of the system that do not work well for a great many young people.

In this annual report, we explain the responsibilities of the Office of the Children's Advocate, we report on the numbers of young people served, on our experience in working with young people this past year, and on the level of recorded maltreatment of children receiving services. Most importantly we report on what young people have to say about their child welfare experience.

These are not the kinds of things most people want to hear about. It would be more comforting to hear that all is well and that great progress is being made in better serving young people in the child welfare system. There are many excellent foster parents, staff, and board members in the child welfare system and for a number of young people I'm sure they receive first rate care. Unfortunately, all is not well. Many long-standing deficiencies of the child welfare system remain.

As the provincial surplus is counted in the billions of dollars, and as the "Alberta Advantage" is proudly proclaimed, the child welfare system is struggling financially. In the fiscal year 2001-2002, the Children's Services Ministry faces a significant projected deficit, and at the time of the writing of this report, the Ministry is working with the Child and Family Services Authorities on cost containment strategies. It is our experience and the experience of the youth we work with that such efforts usually translate into further deterioration in the quality, availability, and accessibility of services for vulnerable young people. While the public message will likely be to speak of how many millions of dollars are already spent on child welfare, the truth is the share that is available for the care of young people for whom the Government has a guardianship responsibility is not adequate. Much of the additional funding allocated to the Ministry is targeted for early intervention programs. While that is a very worthwhile direction to pursue, the reality is more funding is needed to care for the children who have already been found to be in need of protection. In the words of one Children's Services representative, "We are early intervention rich and core program poor".

Why don't more people involved directly in the provision of services to children speak up? Likely because they do not know the extent of the deficiencies and because they stand to suffer consequences. Non-government agencies providing contracted services fear losing their contracts, employees fear losing their jobs, and government managers understand they must never criticize their employer. As a result the silence continues, except for those who will not be silenced. I have been outspoken on the issues impacting young people in the child welfare system because the child welfare system and the public need to know about problems so they can be corrected. That's what advocacy is about; speaking for someone or helping them to speak for themselves. As I leave this work to others, I am concerned about what attempts there may be to quiet the voice of the Children's Advocate and the voices of young people. I implore those who share that concern to be on guard. For those who might be afraid to speak up for children, "Know the truth, and the truth shall set you free".

Bob Rechner, MSW, RSW
Children's Advocate

THE RESPONSIBILITIES OF THE CHILDREN'S ADVOCATE

In Alberta the Children's Advocate is not an advocate for all children. The mandate is limited to young people who receive services under the Child Welfare Act. It has been argued that the mandate of the Children's Advocate should be much broader, but until there is a change to the enabling legislation or through other means as identified in the Act, the mandate will remain relatively narrow. Section 2.1 of the Alberta Child Welfare Act sets out the responsibilities of the Children's Advocate.

"The Children's Advocate shall

- (a) advise the Minister on matters relating to the welfare and interests of children who receive services under this Act and the provision of those services;**
- (b) receive, review and investigate complaints or concerns that come to his attention respecting children who receive services under this Act;**
- (c) represent the rights, interests and viewpoints of children who receive services under this Act;**
- (d) perform additional duties and functions that are conferred on him by the regulations or are from time to time assigned to him by the Minister;**
- (e) prepare and submit annual reports to the Minister respecting the exercise of the duties and functions of the Children's Advocate."**

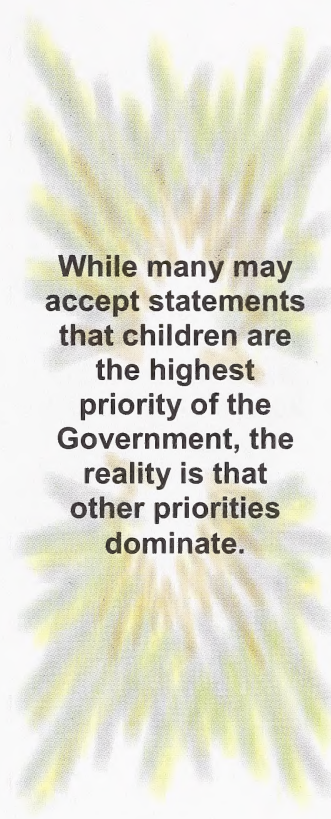
Much of the work of the office has to do with helping individual young people exercise the rights provided in the Child Welfare Act; primarily, the right to be consulted on decisions affecting them and to have their viewpoint seriously taken into account in the decision-making process. Essentially, basic human rights. The Children's Advocate does not have authority to make decisions about young people in care but endeavors to represent them in resolving differences with child welfare decision makers. In circumstances where the young person has the capacity to understand what is taking place and to form and express a point of view, the young person is included as an active participant. In instances where by virtue of very young age or limited capacity, the young person is not able to form and express an opinion, the advocate will endeavor to ensure that decision-making considers all the relevant information available and is reasonable under the circumstances.

The Children's Advocate is also to advise the Minister and senior officials of how the child welfare system impacts the young people it is intended to help, and what aspects of the system are in need of improvement. That is a year-round process that includes the preparation of an annual report to the Minister of Children's Services. Section 2.1(3.1) of the Child Welfare Act sets out a requirement for the annual report to be presented to the Alberta Legislative Assembly. It states "On receiving a report under subsection (3)(e), the Minister shall lay a copy of the report before the Legislative Assembly if it is then sitting, and if not, within 15 days after the commencement of the next ensuing sitting."

The Children's Advocate reports to the Minister of Children's Services, the same minister that is responsible for the administration of The Child Welfare Act. While the Children's Advocate has an arm's length relationship with the child welfare system, the office is part of the Ministry of Children's Services. The Office of the Children's Advocate operates independently in the provision of case advocacy services and in the identification of systemic problems. Systemic advocacy involves highlighting those aspects of child welfare service delivery that consistently fail to meet young people's needs and calling for improvement. In practice this involves critical comment on a service system that is the responsibility of the Minister and of the Alberta Government. There is an inherent conflict in this arrangement.

While many may accept statements that children are the highest priority of the Government, the reality is that other priorities dominate. Just as child welfare officials are required by The Child Welfare Act to always make decisions that are in the best interest of children, the reality is that it does not always happen that way. Our mandate does not include other vulnerable young people who may be in need of assistance to get the services they need. Those excluded include: young people who are unsuccessfully attempting to get services from child welfare; young offenders particularly those who are incarcerated; young people being detained under the Protection of Children Involved in Prostitution Act; and homeless youth. This is not an exhaustive list of exclusion, but these young people are among the most vulnerable and in greatest need of advocacy support.

The Minister who is accountable for the administration of The Child Welfare Act as well as the delivery system put in place to carry out such responsibilities also has a significant degree of control over the Children's Advocate. The Minister and the Government control the funding for the Office of the Children's Advocate, the Minister controls the release of the advocate's annual report subject to provisions of The Child Welfare Act, and the Government appoints the Children's Advocate on the recommendation of the Minister. The current employment relationship of the Children's Advocate further compromises independence. While the Children's Advocate is appointed by Executive Council upon the recommendation of the Minister for a term not to exceed five years, in reality the advocate remains in office at the pleasure of the Minister. Vigorous advocacy for children in government care is constrained by the employment relationship. **It is recommended that for the Office of the Children's Advocate to be truly independent and to be seen as independent by the public, it should become an office of the Legislative Assembly.** In other words, the Children's Advocate should be accountable to the Legislative Assembly, not the Minister responsible for Children's Services.



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INDIVIDUAL ADVOCACY SERVICES

Individual advocacy services are provided through a Northern Alberta Office located in Edmonton, and a Southern Alberta Office located in Calgary. The Children's Advocate's case advocacy services are provided to young people receiving services under the Child Welfare Act on the basis of referrals. Young people contact us directly in many cases, having read information about the program or having been told of the program by other young people. Referrals are also received from a variety of adults including child welfare workers, childcare workers, foster parents, teachers, health care professionals, neighbours, extended family, and others.

April 1, 2000, the Children's Advocate information system was enhanced to enable the collection of information on all children referred who have had child welfare status. This streamlining of information collection will enable the Children's Advocate to include all children in reports showing age group, racial origin, location and issues attached to their cases.

Of the **3190** children served in 2000-01, **2510** children and youth were new referrals and **680** were carried in from the previous year. **The number of children served in 2000-01 increased by 590 or 23% over the previous year.**

Age Group	Count	Referral Source	Count
0-5 Years	572	Self-Referral	833
6-11 Years	797	3rd Party	1418
12-17 Years	1618	Mandatory	188
18-20 Years	200	Own Motion	8
Over 20 Years	3	Anonymous	6
Total	3190	Total	2453

Racial Origin	Count
First Nation and Metis	1184
Caucasian	1369
Other	136
Unknown	501
Total	3190

During the year, the **monthly average number of children on the caseload was 710. This is an increase of 155, or 28% over the previous year.** General inquiries, which include children and youth without child welfare involvement, increased by **291** calls to **660**, which is a **79%** increase over the previous year.

The caseload increase is comparable to the increase in the child welfare caseload. Historically, the Children's Advocate caseload is between three and four percent of the provincial child welfare caseload. During the year, the **average monthly caseload for the Children's Advocate was 532**, which is **3.74%** of the **average monthly provincial child welfare caseload of 14,207**. One case may include more than one young person.

The number of children served in 2000-01 increased by 590 or 23% over the previous year.

THE VOICES OF YOUTH

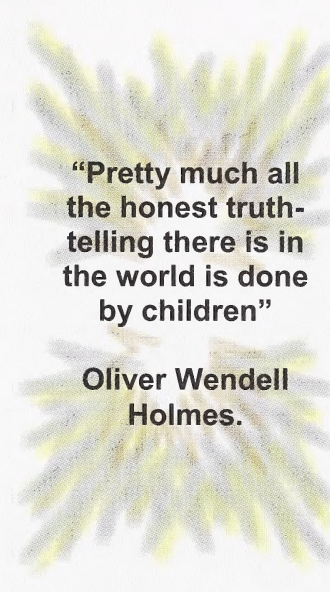
To advocate for someone means to speak in support of them. That is what the Office of the Children's Advocate does for young people in the care of the child welfare system. When young people are capable of speaking for themselves, as they often are, case advocacy becomes a process of supporting them to do so. A series of meetings was held with young people in care in different parts of Alberta. Many of these young people were older teens. We asked young people to share with us their experiences in care. We asked them what worked well for them, what didn't work so well, and what would they want to see changed if they had the power to change something. We heard a number of common issues. The young person's primary contact with the child welfare system is, firstly, with their caregivers and, secondly, their child welfare worker. Much of what they experience has to do with the action or lack of action by these people. The following is what young people had to say about their experience of being in care.

WHAT WORKED WELL FOR THEM

When asked to identify positive aspects about being in care, young people can certainly do so.

Comments from youth:

- Provision of medical coverage/prescriptions, clothing and recreation allowance.
- Good to know that there's at least someone you can go to in a crisis.
- Going through a successful appeal felt good. I won – it felt good. It's awesome that the system has this, even though it can take a long time.
- You meet nice people, people who help you out.
- If you're in a foster family and they care about you, you feel loved and supported, instead of feeling cold and isolated.
- Arbutus group helps you stay out of trouble. It's a fun place to hang out, and to learn anger management and life skills.
- Having the same social worker for a long time.
- Staff/foster parents flexibility and understanding where I'm at.
- S.I.L. (Supports for Independence). My support home family is very understanding and flexible. They really like me.
- Feels safe.
- Gives you a second chance.
- Keeps you out of jail – is an alternative to jail.
- Helps you be independent safely, for example, not doing drugs, not selling drugs, gives you money to live.
- Felt heard and listened to.
- Not all social workers are bad. One social worker comes to visit and even buys gifts or small treats for the other kids as well.
- Social worker comes to visit lots – at least once a month.
- Foster home is really good – no spanking, they never hit me, I go for summer vacation in B.C. Even if all of the recreation allowance was spent, they would still buy things for us.



**“Pretty much all
the honest truth-
telling there is in
the world is done
by children”**

**Oliver Wendell
Holmes.**

WHAT DID NOT WORK WELL FOR THEM

Placement Resources

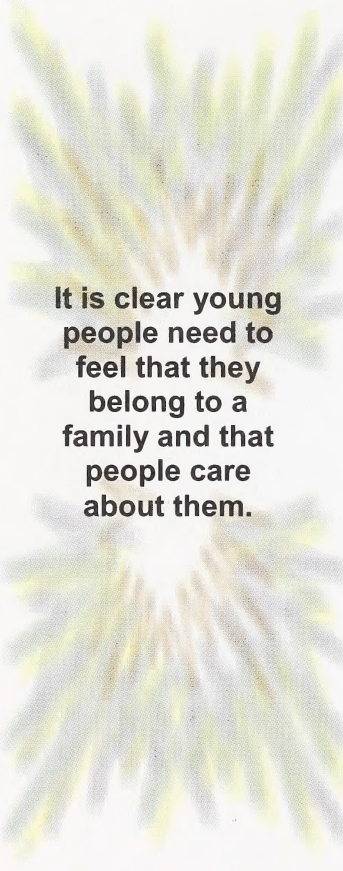
Youth spoke of having been in many different placements and the negative effect this has had on their capacity to trust and form attachments to people. Many youth also spoke about the shortage of appropriate placement resources.

Comments from youth:

- It's difficult for youth to be placed in appropriate placements, especially SIL (Supported Independent Living) programs.
- There's a need for more SIL programs to provide support to youth.
- I've been in and out of care – various placements, many group settings.
- I've been pulled out of an agency home as a result of agency problems. Now I don't like the idea of foster homes because I'll be moved again.
- Child Welfare takes us out of abusive homes and puts us into abusive homes.
- There are not enough emergency foster homes. Have been stuck in hotels or women's shelters overnight (age 15).
- Have had to live in dirty places with bugs!
- There is no treatment in Secure Treatment.
- I was on a waiting list for a long time before I got into Safehouse.
- As long as you are doing well at Safehouse, there is no push to get you into another placement. The pressure is off the social worker.
- My social worker was not prepared to look at signing a release from CYOC (Calgary Young Offenders Center) because there was no other placement available.
- Sometimes shelters are counted as placement options.

Foster Homes

While some young people spoke highly of their foster parents stating that they were well provided for and that they felt that their foster parents really cared about them, there were many others who spoke of a different experience. In some cases young people spoke of not being allowed to eat the same food as the other members of the family. They felt treated more like lodgers, that only cheaper foods were available to them while the rest of the family ate the more expensive groceries. Some spoke of needing to feel loved but feeling merely tolerated. We frequently hear from young people that they believe that foster parents are just in it for the money and that they don't really care about you. **It is clear young people need to feel that they belong to a family and that people care about them.** Many have not been able to form a bond with caregivers because their experience tells them the placement won't last very long. Remembering the pain of leaving behind the people you felt attached to causes one to be less open to new attachments. Sometimes young people use poetry to try to express their feelings. The following excerpt from a poem shared by one young lady is a good example.



**It is clear young
people need to
feel that they
belong to a
family and that
people care
about them.**

My Life

It all started when I was just a child.
It was crazy, my life went wild.
Up and down and side to side,
Around I went as I laughed and cried.
Town to town and school to school,
Family to family and mood to mood.
I laughed and cried,
At times I even wished to die.
Fear and hate have stained my heart,
Now I must decide if I should part
From this world that has caused only grief.
Could that be my only chance for relief?
A Youth

Comments from youth:

- Foster parents are often under-trained
- Foster parents don't love you. They tolerate you because they get paid.
- Some foster parents are just not cut out for it.
- Some foster parents have no knowledge of children and social workers don't go to see them.
- Foster parents were not feeding me and the social worker did nothing.
- Foster parents wouldn't let me near their baby. They didn't trust me.
- They often did things that were against my rights (phone calls, contact with social workers were denied).
- It's hard when foster parents are from a different culture. There's no matching of the youth/child with the home.
- Screen the foster parents better and make sure they are ready.



Group Homes

Some of the young people were living in group homes. Some spoke of being treated more like prisoners than young people in protective care. They spoke of very strict rules imposed by staff who lacked both the training and the compassion to help them with their problems. Youth expressed concern about severe restrictions that seemed excessive in a community placement.

Comments from youth:

- Hire better trained staff.
- We need more outside activities and better food.
- Not enough access to counselling.
- Individual counselling is pushed over group counselling.
- When staff don't know how to handle hard to serve kids, sometimes the rest of the youth suffer.
- Rules are inconsistent when you are a safety concern. You're not allowed to go to the residence (my home) except for from 12:00 until 1:00, from 5:00 until 6:00, and then for bedtime. What else are you supposed to do? It just sets you up for more trouble.



A good relationship with just one staff person makes a difference.

- Need staff who care. Staff know how to push your buttons, and when you respond you get punished.
- **A good relationship with just one staff person makes a difference.**
- Hugging or any form of touch is seen as a problem.
- One develops strategies to distance self from others.
- My placement has lots of food but no activities and recreation. Ralph should do a surprise visit on all child care facilities and see what is going on. He should see what kids see, what they say, and what they need.
- I get money for cleaning the group home but I can't spend it on what I want.
- There is no flexibility in the group home. If I get upset, I get restrained.
- No one believes us when we say some things.
- Staff refused to take me to the doctor/hospital when I couldn't breathe.
- This is a group home – not a jail.
- Staff should be more respectful of kids. It is not obedience school.
- In some placements, there is absolutely no freedom; under constant surveillance.
- Some group home staff are always on power trips.
- They should not treat suicide as an every day problem.

Child Welfare Workers

Many of the young people we heard from identified that they could not get in contact with their social worker. They spoke of not being able to reach their worker on the phone and not having phone calls returned when they left messages. Some appreciated that their child welfare worker was very busy and they understood it might be difficult to find the worker in the office and available to take their call. Few understood why they would not get a call back within a few days or at all. Are child welfare workers that overburdened with cases? Perhaps they are, in which case the Child and Family Services Authorities, the Ministry and the Government have a responsibility to ensure workloads are at a level that allows child welfare workers to carry out their guardianship responsibilities.

Comments from youth:

- Some social workers are not very good, some social workers are okay and some social workers are very good.
- Access to social workers is very difficult. After hours – “not on my time. Call me tomorrow during working hours”. “You know where my office is – you come and see me.”
- The social worker has so many other kids, she sometimes forgets you exist. Should not have so many kids on the caseload.
- Sometimes there is a change in social workers without the social worker telling us; too many changes of social workers.
- They don't even know you. They have stereotypes. Everyone has different situations.
- Sometimes supervisors are doing social workers jobs when they are too busy.
- Revise training for social workers. Hands on exposure. They should have to do volunteer work first.
- Workers should have kids of their own so they would understand.

- I have had 6 social workers in two years. I have been left hanging.
- Paperwork takes so long. Takes a long time to get the help you need.
- School gets out too late to reach the social worker.
- We need a happy medium between never seeing them and seeing them too much.
- Acknowledge our accomplishments. Do things you don't have to. Little extras make us feel special. Listen better.
- Take an interest and the time to see us as real people; find out our interests.
- Social workers should tell us what they're writing about us in their file.
- I've had some opportunity to participate in plans, but not as much as I should.
- In order to get the worker to move, I had to attempt suicide.
- When youth are feeling suicidal, instead of sticking them in secure treatment, take the time to find out what the problem is and what would actually help.

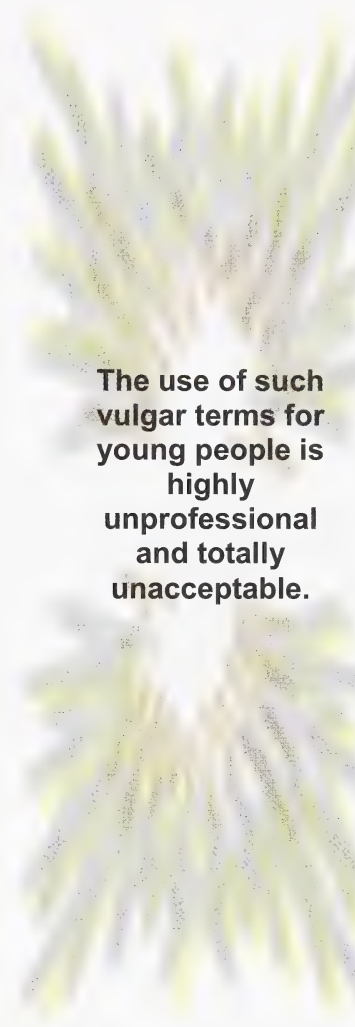
Disrespectful Treatment

Young people spoke of being referred to as “bitches”, or “pricks”, and other derogatory names by either caregivers or child welfare workers. This was mentioned quite casually (which is in itself quite disturbing). When asked if that really happened very often, a number of youth confirmed that it was not uncommon. It is understandable that in dealings with youth whose behaviors may be challenging and frustrating, that the patience of staff could be severely taxed. One must remember that many of these young people are in care as a result of neglect and abuse by their parents. Such maltreatment may have significant, long-lasting behavioral effects. The use of such vulgar terms for young people is highly unprofessional and totally unacceptable.

Youth spoke of not being involved in decisions affecting their lives, of not having any choice about their placement, and in some cases, not even having a pre-placement visit, just being dropped off. Some noted they had not been told why they had been moved from a placement and a few said they didn't even know why they were in care. The most common concern was the disrespectful treatment received from child welfare workers.

Comments from youth:

- My social worker never calls back – doesn't give a damn.
- Social workers don't really care about you; you're just a file number.
- Get to know me, not my file. Get to know us outside of the office. See the best in us, not the worst.
- Sometimes kids feel the social worker hates them and they are stuck with that social worker.
- Social workers think they know what's best for you and sometimes they don't even talk to you before they decide things. They tell you what you need instead of asking you about what you think you need.
- Social workers don't ask kids where they want to shop. You can't get good clothes at some of the stores they make you use.
- Kids information/viewpoints are not believed. They always take adults word about what happened.



The use of such vulgar terms for young people is highly unprofessional and totally unacceptable.

- Had no choice about placement. No pre-placement visit. They just dropped me off. We need more choice and control. Sometimes I'm not even told why I've been moved.
- They keep bringing us back to the placement when I go AWOL. They never asked me why I was running. I have no control over where I was living.
- In 6 months, I only saw my worker twice.
- I feel isolated. My worker called me twice in 2 years.
- It took 7 months for the worker to arrange for me to go to church.
- Some workers call us too much! Don't respect our space.
- We get called names and they yell at us.
- Don't label us as criminals, psychopaths, or losers.

Lack of Entitlement Information

Repeatedly we heard that young people did not know what benefits they were entitled to receive. Some youth knew there was a recreation allowance while others had never heard of that allowance or how to go about accessing it. The same was true with respect to spending money and clothing allowance. Some child welfare workers shared the information while others did not. For young people it seems like a game of chance. Most adults receiving a public service can reasonably expect to receive some written information about benefits and how to obtain them. Young people in care also need to receive such information. **It is recommended that the Ministry of Children's Services put in place a standard that would require each regional authority to provide youth with information written in plain language. There needs to be an explanation of the benefits to which youth are entitled and of the process for accessing such benefits.**

Comments of youth:

- Youth don't always know their child welfare status. Didn't know Child Welfare was the guardian.
- Help explain our rights to us and help us understand the forms and list of resources.
- Provide a manual on what youth and social workers can and cannot do. All our rights should be in a youth friendly manual.
- Social workers and youth don't know the policy about contact with youth and clothing policy.
- The system needs to be monitored to ensure entitlements are provided.
- Grievance procedures are not promoted. Kids are not made aware of it.
- If you don't explain anything, how can we grow up to be adults that know how to do things?

Financial Issues

Providing entitlement information is important, but ensuring that young people in care have adequate resources to live with some dignity is also important. As the provincial economy prospers, young people for whom the government of Alberta has a legal responsibility, struggle to live decently. Older youth in supported independent living programs try to make do with

meager allowances. When you can only afford to live in the cheapest accommodation, you are at higher risk of living in an unsafe area.

Comments of youth:

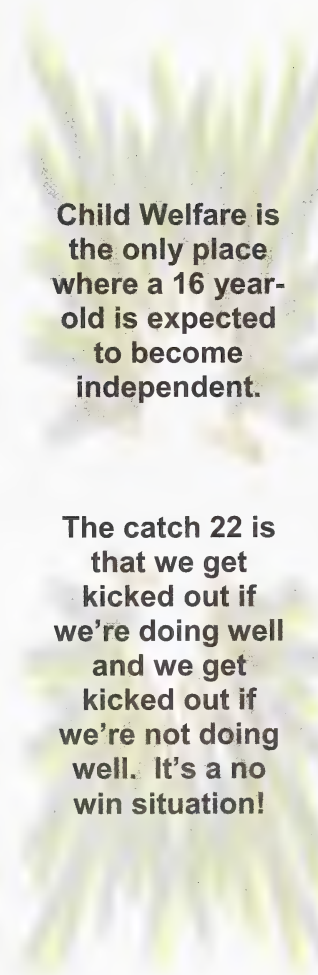
- We need to have a system of ensuring appropriate resources are provided to kids e.g. clothing, allowances, recreation fund, etc.
- Get rid of the voucher system.. Vouchers are embarrassing and limit where you can shop.
- I have only received \$79 for clothes in the last two years.
- We don't get enough money to live on (SIL – independent living). We have to live in dirty places with bugs because we don't get much for rent.
- I don't get any money for the baby until after the baby is born. How can I get ready? I will have lots to do after the baby is born. \$160 is not enough. (expectant teen mother)
- Money for bus passes and sanitary products should be automatic. If you need them, you should get them.
- There should be more funding for things youth want to be involved in like fun stuff, youth run youth-in-care groups.
- The bureaucracy is too much, receipts etc. Too hard to get straight answers.

Issues Specific to Older Youth in Care

Many youth over 15 live in fear of having their child welfare services terminated. Resource pressures and unrealistic expectations of adolescents result in a number of youth being pushed out of the system before they are ready to function independently. This is an issue raised repeatedly by our office but there is little evidence of improvement. These same inappropriate actions by natural parents would result in a child welfare investigation and yet they are commonplace in the child welfare system. How can that be? As the pressure of cost controls work their way through the child welfare system, I expect to see even more young people pushed out prematurely. It is recommended that the Ministry ensure that Child and Family Services Authorities not terminate any service to youth without an impartial administrative review process in place to review such a decision prior to implementation. Where termination decisions are upheld in the Review process, benefits should continue until a hearing with the Child Welfare Appeal Panel is fully completed, should the young person seek such an appeal.

Comments of youth:

- Child Welfare is the only place where a 16 year-old is expected to become independent.
- They want to get us out of the system as soon as they can. Sometimes we feel pushed into independence. They don't prepare us for independence.
- The catch 22 is that we get kicked out if we're doing well and we get kicked out if we're not doing well. It's a no win situation!



**Child Welfare is
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- Sometimes, to stay in a placement, we have to screw up a bit, but not too much. Where's the incentive for us to do well?
- It is scary to think of fending for myself. My friends who grew up with parents have lots of stuff (belongings). We have no parents to fall back on for support.
- I have been in care ten to eleven years. The problem with leaving care is that you are cut off with no support. I can keep half my money from my part-time job but I have to provide receipts for everything. All I get is \$80 for two weeks of groceries.
- Sex/age have a huge influence on what happens. Young 13 year old girls get placed real quick while 16 year old boys have to wait. Older boys are treated harsher.
- Older kids have needs just like the younger kids. Just because you're older and more independent doesn't mean you don't have needs.
- Older youth are sometimes expected to be responsible for other youths' behaviour.
- There is an expectation that older teens have to save/pay for everything. They need support too.
- People in general wouldn't be able to cope- living how we do.
- Adults, social workers should be in foster homes or group homes, or live on the street to understand where we are coming from.

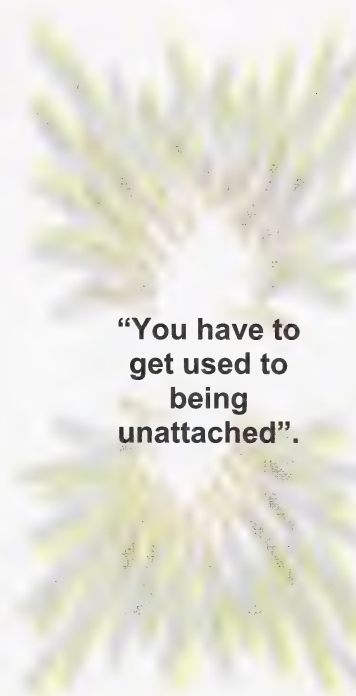
General

While we've tried to categorize what young people had to say, there were general comments that don't fit well in other categories. In my view, the most telling comments about the experience of young people in care, in addition to those listed below, are: **"You have to get used to being unattached". "Because you don't expect to stay in one place, I tended to push people away. I didn't want to get close to people because it would hurt too much when it was time to move again."** These comments from young people speak volumes about the experience of being "in care" for a great many young people. They often feel left out of society. They see people around them living "normal" lives and they see their own lives as anything but normal.

Comments of youth:

- Take better care of us.
- Being in foster care is not my fault but I get picked on at school for being a foster kid. It gets me in fights. Life in the system isn't all rosy
- We get labeled. I'd never tell anyone I was in a group home. Society's message: Foster kids are evil. We're people too. We're normal kids.
- In care, we're not allowed to make mistakes and screw up like ordinary, normal teenagers do. It's not fair. It makes us live on the edge.
- We've missed out on a lot - good parenting.
- Need to work with the whole family, rather than youth worker just for the youth and a counsellor just for the parents. Need to ensure the social worker hears everyone's perspective (both youth and parents) and works toward getting everyone to agree rather than isolate.

- Contact with friends is not arranged because friends aren't seen as important. Out of province travel is not permitted for visiting.
- There is no individuality in Child Welfare.
- I am embarrassed to be in care. It would make a difference if a family took me in.
- Initially you're interested in the placement, but after a while you lose interest and you just don't care anymore.
- I had to give up my children in order to get into Supported Independent Living. Child Welfare is supposed to help. They do not get it! I needed help with my kids but all they did was put me down because I was a 16 year- old single mother. They did not sit down with me and ask me what I needed. They put my kids into foster care and told the foster parents my kids were being adopted (without my consent). Child Welfare tore my family apart!
- Include youth in hiring panels for social workers, managers, childcare, and youth workers.
- Access to Administrative/Appeal panel is too slow. Takes too long to get an appeal.
- Court is backed up for months.



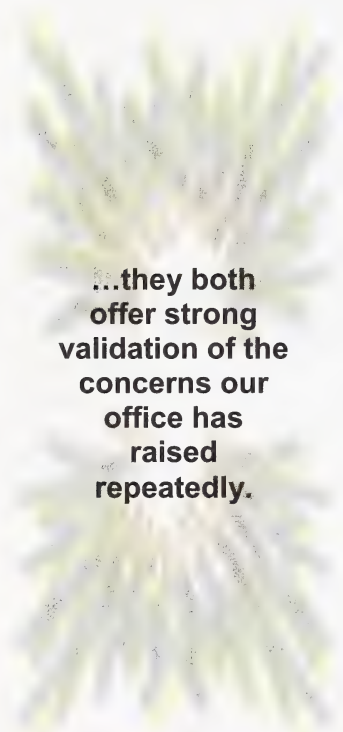
**“You have to
get used to
being
unattached”.**

THE VOICES OF OTHERS

EXTERNAL REVIEWS

The Children's Advocate's role provides the opportunity to gather and scrutinize large amounts of information relevant to services for children. We gather information from a variety of sources including the Children's Services Department, the Child and Family Services Authorities, advocates (both internal and external to the Ministry), service providers, and (most importantly) from the young people we serve. In addition, this past year, there were two independent reviews completed at the request of the Minister responding to recommendations made by this office.

In early 2000, an external consultant Chan Durrant Ltd. completed a review of the mandate of the Children's Advocate. While A Review of the Office of the Children's Advocate was not primarily intended to identify difficulties within the child welfare system, it made significant comment on the circumstances youth find themselves in when trying to deal with that system. A second report completed by V. Kinjerski and M. Herbert; Child Welfare Caseload Growth in Alberta: Connecting the Dots, submitted in August of the same year, focussed on the growth of the Alberta child welfare caseload. The Minister, much to her credit, recognized the resource pressures an ever increasing (over 50% increase in the past five years) child welfare caseload was creating and commissioned the study. Again, while the focus of both reports was peripheral to the direct issues the Advocate becomes involved in, they both offer strong validation of the concerns our office has raised repeatedly.



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OUR OWN EXPERIENCE

PLACEMENTS

The single, most recurring issue our office has faced over many years is the lack of appropriate placements for children and youth. Concerns about the availability, appropriateness, and quality, of placements were initially identified in our inaugural 1989-1990 Annual Report. The lack of appropriate placements continues to be a problem in most areas of the province.

The Chan Durrant report identifies feedback from youth reflecting how **“their placement or prolonged retention in group homes and treatment facilities had made them more resentful and angry.”** (p.15). The Connecting the Dots study further elaborates on the **“critical shortage of placement services”** (p.85). The report identifies the negative effects this resource shortage has on the placement of First Nations youth and youth from rural areas when they have to be placed outside of their home communities.

How does this lack of resources effect children? Thirteen year-old Charles, is currently living in a treatment facility that is ill equipped to meet his needs. Charles was born to a mother high on solvents and was subsequently severely abused while in her care. He eventually entered the care of child welfare. He has been diagnosed with Fetal Alcohol Effect and his behaviours suggest the need for a long-term, structured, stable environment. What he currently receives, however, is much different. As a result of the lack of an appropriate resource, Charles faces a continuing stream of staff and youth coming and going from the facility. Charles has been unable to develop a lasting relationship with anyone, peer or adult. His behaviours are deteriorating and the facility's attempts to deal with him are becoming more and more punitive the longer he remains in their care. Charles' difficulties do not allow him to benefit from the program he is currently placed in and yet he has been there for two years.

Charles is not an exception. Youth across Alberta have shared their stories of multiple inappropriate placements while in Ministry care. During one meeting we heard from youth placed in the same facility three different times as a result of lack of suitable placements elsewhere. Jack, a Calgary youth, is one of a number of teens forced to remain in a locked facility as a result of his child welfare worker not being able to locate a resource willing to take him. Similar circumstances are common to youth in the Edmonton Young Offenders facility. They could be placed in the community if there were only an appropriate place for them to go.

We also heard from youth with positive things to say about their placements. As identified earlier in this report, one of the most significant elements in any placement is the relationship that is developed with the care-provider, whether that is with an institution staff person or a foster parent. **Youth reported time and time again that the key to any placement was the commitment the care provider has to the youth.**

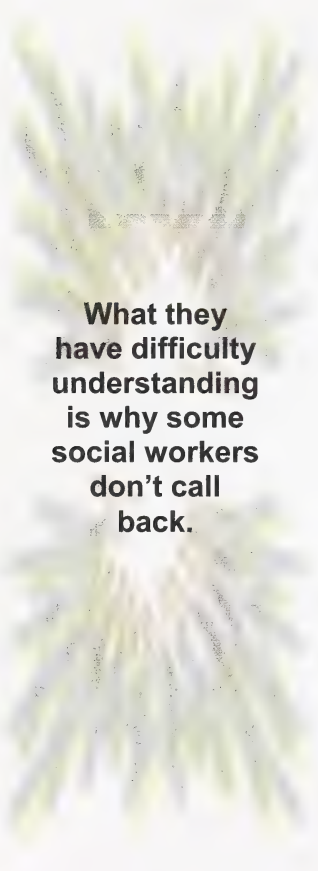
We heard from foster parents speaking of the lack of support provided to them as service providers. Foster parents, group home staff, and agency



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staff often feel left out of the decision- making process. Many do not feel part of the team and do not see their input as valued by the decision-makers. One of the potential consequences of this lack of inclusion and respect is the eventual withdrawal of services. Foster parents and care providers leave the system and another placement resource is lost. The child welfare system cannot afford to lose these resources.

Much of the information we receive about the need for placements comes from child welfare workers. Given the wide scope of feedback and information available to the Ministry, it is hard to understand why more effort is not given to building and supporting a strong placement resource base. It is vital that placement resources be appropriately recruited, developed, financed, and supported in order to meet the needs of youth in care. Possible strategies have been suggested in the past. Connecting the Dots refers to a previous (1997) project called the “**Out of Home Placement Project**” in which a number of recommendations and strategies were identified to ensure a healthy placement resource base is developed. It is recommended the Ministry review the 1997 “**Out of Home Placement Project**” and re-double its efforts to address and deal with this chronic deficiency.



**What they
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back.**

DISRESPECTFUL TREATMENT OF YOUTH

As previously mentioned by youth, disrespectful treatment by the child welfare system is an issue that surfaces frequently in the contact our office has with youth. Advocates have both witnessed, and experienced the same treatment by child welfare staff. One can, at times, understand a social worker or care provider not responding immediately to a request, a phone call not being returned or a visit not being arranged and can be excused on occasion given more pressing matters. While these types of circumstances are regrettable, they are not the types of circumstances we would describe as disrespectful.

In our meetings with youth we heard that many of them are unable to establish any contact with their workers for lengthy periods. There is recognition that if your behavior is really good and you don't cause any problems, then you may not see your social worker for an even longer period of time. Interestingly enough, these same youth recognize that their child welfare workers are very busy people and while they don't expect immediate service, they would appreciate at least some response. Youth spoke of understanding a worker not calling back because they have large caseloads and another youth may be in crisis. What they have difficulty understanding is why some social workers don't call back. Youth compared attempting to call their social worker as like trying to get through to “Ticket Master” for a popular event, where you call and call and when you finally get through they're all sold out, and you have to try again tomorrow when more tickets might become available.

Such was the case of Ben, an Edmonton youth who was having difficulty contacting his social worker. Ben was referred to our office when he was notified that his file would be closed because he had cancelled a counselling appointment. Ben had attempted to speak with his child welfare worker and let her know that he had made attempts to reschedule the appointment at the time he cancelled the previous one, but he was informed there would be no negotiation or discussion about the closure. In most cases the involvement

of the Advocate's office seems to prompt the caseworker to be more diligent in responding to the client. In this case, however, even an advocate's involvement failed to highlight the need to respond to Ben. The Advocate was not able to get the worker or her supervisor to agree to a meeting. As a result, the only recourse left to Ben was to ask for an Administrative Review of the closure decision. The Review overturned the child welfare worker's decision and Ben's benefits were reinstated, but only after a costly process involving not only the worker and supervisor but also the advocate and the time of at least two additional supervisors on the Review panel.

Although these types of situations (and there are many) are frustrating to both youth and advocates, an even more disheartening situation was presented to us when we met with a group of youth from the Calgary region. These youth describe being referred to as liars, and other names that I will not repeat. These same youth were being denied access to their personal belongings, were prevented from listening to their own music, from contacting peers, from sitting beside peers of the opposite sex, etc. They feel they are being treated like criminals but without having committed a crime.

Again, were it just the voice of youth or just the perception of the advocates, one may question whether the full picture is being presented. However, other sources paint similar pictures. The Chan Durrant report states:

"For young people capable of expressing their views: the bottom line is that they are regularly treated with disrespect, and that they have no one to turn to..."(p.7).

Chan Durrant further identify:

"The majority of youth see the child welfare system as a hostile, rule-bound and uncaring environment where adults have lots of authority, but very little time or respect for kids" (p.15).

Albertans, participating in the Chan Durrant review:

"...tended to see a wide range of youth oriented services as being:

- a) very confusing, insensitive and unfriendly places for children and youth with problems, and/or**
- b) prone to making enough mistakes or errors in judgement that it was important to have a third party back-up to review decisions and make sure that children's rights and interests are protected." (p.13).**

The young offenders system is viewed as a place where there is a:

"...high risk for violation of rights, inappropriate behaviour by staff, a lack of concern for the individual and a lack of concern for treatment (as opposed to punishment)" (p.21).

Many of the youth in the child welfare system are there, not because of their behaviour or something they have done, but because they have been found to be in need of protection from their families!

This study, commissioned by the Minister, does validate much of the information our office gathers. The very system that is set up to protect children and ensure their well-being, too often further victimizes them and treats them with disdain. Many of the youth in the child welfare system are there, not because of their behaviour or something they have done, but because they have been found to be in need of protection from their families! The Ministry of Children's Services, the Child and Family Services Authorities, Delegated First Nations Child Welfare agencies, and others providing services to youth should ensure that their policies, procedures and practices are sensitive to the needs of the youth they serve. **It is recommended that the Ministry require all group care facilities to have in place a grievance process that will allow young people's concerns to be heard in a timely and objective manner.**

The child welfare system needs to become more youth friendly. Youth input into policy development, on-going operation, and evaluation provides an opportunity for service providers and decision makers to develop an understanding of what does (and does not) work for youth in the system. Above all there needs to be an attitude shift amongst certain staff and care providers. Youth need to be recognized as unique young people in need of adult support and assistance as they navigate their way through what feels to them like an already hostile environment.

POWER AND CONTROL

Young people have very little power in the child welfare system. Adults make decisions that will affect the course of their lives, and often they have little input. The Child Welfare Act actually requires that a child who has the capacity to have input on decisions affecting them be consulted. Section 2(d) of the Child Welfare Act states **"a child, if the child is capable of forming an opinion, is entitled to an opportunity to express that opinion on matters affecting the child and the child's opinion should be considered by those making decisions that affect the child"**. While some child welfare staff are mindful of that requirement and embrace it as part of responsible social work practice, unfortunately too many do not. Some of the decisions made in the child welfare system don't appear to have much to do with the best interests of the child but appear more as expressions of power and control.

Pam's Story

Pam, age 17, from a northern Alberta community, left her parental home as a result of physical and emotional abuse. After prolonged exposure to domestic violence, heavy drinking, and drug abuse, Pam decided to leave. She had suffered long enough in this environment. Her school performance had deteriorated, she had begun to experiment with illegal substance use, and eventually she became physically ill requiring medical attention. She moved in with the family of her boyfriend. They were willing to provide her the support and assistance she required to turn her life around. With that move, Pam's school performance improved, her physical health improved, and her social activities were once again appropriate. Pam approached the Child and Family Services Regional Authority requesting a Support Agreement that would provide the assistance to ensure she would never have to return to the abusive environment she had just escaped. Pam was denied help despite

information from numerous community sources clearly supportive of her being out of the parental home. Authorities were not prepared to sanction Pam living in the same home as her boyfriend even though there was supervision by responsible adults. The school counsellor also offered to provide foster care for her so she would not have to return to her parent's home. Despite these circumstances the Child and Family Services Authority refused to enter into a Support Agreement with Pam.

Mary's Story

Mary age 17 was also refused services. Mary had survived with the help of emergency services in the city for four months before approaching the Child and Family Services Authority. She had endured many years of abuse by her step-father (confirmed by her mother) prior to her mother and step-father dropping her off at the Youth Emergency Shelter. Despite providing this information when Mary applied for child welfare support, she was refused services. The child welfare supervisor confirmed the abuse information from a number of sources and yet refused to open a file to provide Mary the services she required.

Lee's Story

Lee, a 17 year-old mother of a 7 month-old child, was receiving child welfare support services. She continued to struggle due to alcohol and drug problems and her tendency to get involved in abusive relationships. Lee eventually recognized her need for treatment and began searching for a substance abuse program that would accommodate both her and her child. With the help of a youth worker and her natural family, an appropriate facility was located in another city. Lee enrolled in the program and was committed to attending. When her child welfare worker learned of this plan, Lee was notified that her support services were being terminated and that her file would be closed.

There are a number of common themes in the stories of Pam, Mary, and Lee. These three young people were all attempting to escape dysfunctional circumstances, they were all seeking help to do so, and all were refused by the very system set up to provide them with the help they required. With the assistance of an Advocate, these youth initiated the Administrative Review Process. In all three cases the decisions were reversed. Each received the necessary supports from the Child and Family Services Authority involved, but only after an expensive adversarial process.

The circumstances of these young people and the treatment they received is representative of many other cases. Our office constantly receives calls from youth attempting to access services, or influence the decisions being made about them by child welfare. These cases highlight a common theme brought to our attention by youth in the child welfare system: the use of power and control in an effort to deny and control services to older adolescents in need of protection. Youth identify how their services are cut off, how decisions are made about them, and how placements are changed without their involvement, the involvement of their families, or the involvement of the treatment resources that support them. Chan Durrant identify:

“...children are not getting assessments, supports or treatments they need, and decisions that are not in the child's best interests are made because workers are inattentive, inexperienced, poorly trained, or tied up by regulations or lack of services.” (p.8).

It appears that decisions are often made on the basis of cost savings rather than the best interests of the child. Such an approach places young people at risk and the results can be tragic.

Another reflection of power and control identified in Chan Durrant is how workers are discouraged from contacting the Advocate's office. Agency staff are intimidated into not making referrals to our office. The message is clear that if referrals are made to the Advocate's office, it could have negative repercussions on the relationship with the district office, and possibly on the agency budget and contract. Foster parents advise us of social workers hinting that involving the Children's Advocate in a disagreement may be viewed as “counter productive” to good working relationships. Finally, even child welfare staff sometimes seek anonymity when making referrals to the children's advocate for fear of retribution from supervisors and management!

There are many practitioners doing their very best to ensure that the decisions they make are appropriate and that young people are involved and active participants in their own case planning.

Unfortunately, in commenting on the use of power and control, all workers appear to get “tarred with the same brush”. Obviously not all social workers, supervisors and managers behave in the same way. There are many practitioners doing their very best to ensure that the decisions they make are appropriate and that young people are involved and active participants in their own case planning. Although hampered by “...**excessive workloads, high turnover and burn-out...**” (Chan Durrant, p.13) these professionals are still able to maintain appropriate relationships and maintain high social work standards. It is recommended that the Ministry find ways to encourage, support, and reinforce the good social work practice that does occur in the field.

It is recommended that the Ministry develop appropriate monitoring practices to identify when appropriate standards of client service are not met, and to take action for improvement.

It is recommended that steps be taken to ensure that competent, experienced, professional social work supervision be provided and supported by all levels within the child welfare system.

It is recommended that child welfare staff and their managers receive a strong message from the Minister that discouraging referrals to the Children's Advocate is not acceptable.

MALTREATMENT OF YOUTH IN CARE

Young people come into the care of the child welfare system because they are in need of protection. Generally, they can no longer live with parents or extended family in safety and in good health. While a great number of those young people do receive the care and protection expected, sadly, for too many the experience of being in care is one of re-victimization. They may be neglected, severely injured, sexually abused or emotionally abused, by the very people who are supposed to care for them. Some cases are brought to the attention of the public through the media when criminal charges are involved, but maltreatment in care happens more often than generally known. I was very surprised to learn just how often this happens to young people receiving child welfare services.

According to the Ministry of Children's Services electronic Child Welfare Information System (CWIS), during the fiscal year April 1, 2000 to March 31, 2001 there were 439 recorded substantiated investigations of maltreatment of young people either in "out of home" care or "in home" care but receiving child welfare services. **These are SUBSTANTIATED allegations of maltreatment of children and youth known to the Ministry who have been found to be in need of protection.**

For those substantiated investigations in "out of home" care the breakdown of 122 cases recorded on the child welfare information system is as follows:

Residential Treatment Center:	6
Secure Treatment Facility:	2
Group Home:	7
Receiving Group Home:	1
Foster Home:	73
Interim Placement:	1
Agency Foster Home:	32

Young people removed from the care of their families because they are in need of protection should reasonably expect to be safe in government care. For at least 122 of them, sadly, that did not happen.

For those substantiated investigations of "in home" care, the breakdown of 307 cases recorded on the child welfare information system is as follows:

Parental Care:	286
Extended Family:	9
Independent Living:	1
Significant Other:	11

Young people found to be in need of protection yet left in the care of family, should reasonably expect to be safe there, or else placed where they are safe. For at least 307 of them, sadly, that did not happen.

The reality is that there cannot be a 100% guarantee that children placed in care will not be further victimized. A great number get the care and support they need from dedicated care-givers, but unfortunately some will not. It is also a reality that children who have been maltreated but are left in their own

**... any level of
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unacceptable.**

homes with supervision and support will never have a 100% guarantee that they will not be subjected to further maltreatment. But any level of maltreatment is unacceptable.

While the numbers are shocking, what kinds of circumstances are substantiated? These substantiated investigations are classified by outcome and each one of them belongs in one of the following categories:

- **Abandonment**
- **Guardian Unable /Unwilling To Provide Necessities of Life**
- **Guardian Unable/Unwilling To Provide Medical Treatment**
- **Sexual Abuse By Guardian**
- **Guardian Unable/Unwilling To Protect From Sexual Abuse**
- **Physical Injury By Guardian**
- **Guardian Unable/Unwilling To Protect From Physical Injury**
- **Emotional Injury By Guardian**
- **Guardian Unable/Unwilling To Protect From Emotional Injury**
- **Guardian Subjects Child To Cruel/Unusual Punishment**
- **Guardian Unable/Unwilling To Protect From Cruel/Unusual Punishment**

The following are some examples of cases we have been directly involved with.

1. A child age four is left in a car on a warm day while the foster mother played video lottery terminals in a local establishment. The police happened to pass by and were concerned about the child being left alone and the heat in the car. They removed the child. The foster mother claimed that she did not receive foster parent training and that she needed a break from the child once in awhile. The matter was referred to the Office of the Children's Advocate as per mandatory notification requirements.
2. While in a foster home, a young girl reports that her foster parents asked her to go to the park because they were going out and did not want her in the house alone. **While in the park this 12 year-old was lured away by a man who took her home, gave her alcohol, and sexually assaulted her.**

The Children's Advocate became involved at the request of the young person who is still having difficulty accessing counselling for the sexual assault. A police investigation was held.

3. A child age nine reported that her foster mother two years earlier used to **"dunk her head in the toilet bowl and flush"**. On one occasion the child fought back when she could no longer breathe. For this she got a beating. **In a previous foster home the child's brother reported he had been locked in the basement for long periods of time and sometimes given only bread and water. He also reported that the foster family often only allowed him to eat leftovers after the foster family had finished their meals.** Brother and sister had been placed together in the foster home. The investigation of the "head in the toilet bowl" allegation was referred to police and the Children's Advocate was contacted to assist in the process.

While one might assume the completion of an investigation and the substantiation of maltreatment would always result in the immediate closing of the home that isn't always the case.

It is recommended that the Ministry of Children's Services ensure that the foster home approval process, the foster home training program, and the level of support and monitoring provided to foster homes for both departmental and agency foster homes be sufficiently thorough to ensure that the risk of maltreatment is reduced to the extent possible.

It is recommended that in those cases where children are deemed to be in need of protection yet left in the care of family, the Ministry of Children's Services needs to strengthen and improve the assessment, supervision and support provided to these youths and their families.

THE RIGHT TO REDRESS

We live in an increasingly litigious society. Adults who suffered abuse as students in residential schools are filing lawsuits. Adults who experienced continued abuse at the hands of their parents (after reports to child welfare allegedly went unheeded) are currently suing the Alberta Government. Adults, who believe they experienced abuse as children while in the care of the child welfare system, are taking legal action as young or middle-aged adults. Many of these people have been damaged psychologically and their lives have been very negatively affected. Often they are extremely angry about the abuse inflicted upon them and they want someone to pay, or at least to acknowledge responsibility. Looking at the numbers of young people for whom allegations of maltreatment have been substantiated, it is likely that some of them represent lawsuits waiting to happen. While the experience to date is that children don't sue those responsible until they become adults and realize they are able to take action, that may change. It is possible for a concerned adult to sue on behalf of a minor child. Few outside the legal profession know the process. Child welfare workers have a duty under the Child Welfare Act to make decisions that are in the best interest of the children they provide services to. We are not aware of any child welfare workers assisting a young person to take legal action, or in the case of children lacking capacity, to take such action on their behalf, even though such action may be in the child's best interest. A major impediment to doing so is that child welfare workers are employees of the government and the provincial government is likely to be the major target of any such lawsuit.

So who should help young people in the child welfare system to exercise their legal rights where there is a cause of action?

So who should help young people in the child welfare system to exercise their legal rights where there is a cause of action? Should it be the Public Trustee? They have declined such involvement. Should it be the Office of the Children's Advocate? The Children's Advocate reports to the Minister and it would clearly be a conflict for the Children's Advocate to be party to a lawsuit against the Minister and the crown. So who should do it? Should it even be done? Were there meaningful alternatives to litigation, perhaps many cases could be dealt with outside of the courts. **It is recommended that the Alberta Government develop an independent external review process that could hear claims of maltreatment while in government care and award compensation on the merits of each claim.** While this would not preclude the option of litigation, it could offer an alternative. In the face of a number of lawsuits over sexual sterilization, the Alberta Government did set up an alternate process for compensation. Without such an alternative process, those with valid claims have little option to seek redress. This is not an issue that is going to disappear. It makes sense to address this matter sooner rather than later.

FEEDBACK FROM YOUTH

In 1992 the Office of the Children's Advocate implemented a process to gather, assess and utilize feedback received from youth served by the program. Feedback was expected to assist in determining the extent to which the program's principles and values were being practiced, and to contribute to development of the program's policies and practices. The process of collecting, assessing, and utilizing feedback continues today as part of the ongoing effort to monitor and improve services.

The values which underlie the Office of the Children's Advocate's collection of information from clients are as follows:

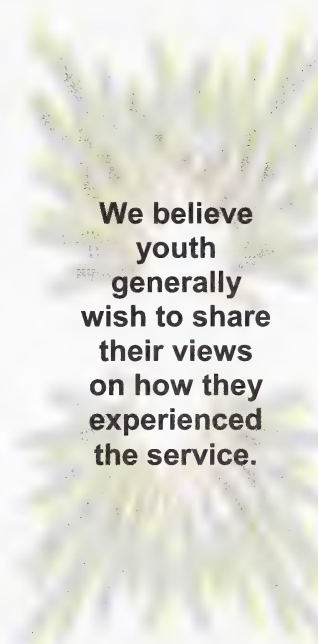
- **We believe youth, as consumers, are entitled to an opportunity to provide feedback on their experiences with the program.**
- **We believe youth have the potential to provide information that may be used to enhance the quality of program's policies and case advocacy practices.**
- **We believe youth generally wish to share their views on how they experienced the service.**
- **We believe the process of collecting information from young people must respect the decisions of those who choose not to participate.**
- **We believe the management of the information collected must afford confidentiality to those young people who choose to participate anonymously.**

In deciding how to collect feedback, three significant challenges arose. Firstly, can one collect feedback from very young people? Secondly, regardless of age, some young people may not have the capacity to comprehend or respond to the questions asked. Thirdly, young people in the child welfare system are often transient and difficult to locate once our involvement with them is terminated. In addressing these challenges, it was determined that consumer satisfaction surveys would be given to all youth aged 12 or older. Advocates would exempt distribution to youth deemed to lack the capacity to understand the questions, and to youth we could not locate upon closure of our file.

Advocates distribute survey forms to young people whenever feasible, and youth are given an opportunity to ask questions about the survey. Over time, more and more surveys are being distributed by mail as workloads make it increasingly difficult to meet with young people when their files are being closed. The survey itself is completed by the youth and a stamped envelope is provided for the return of the survey to the Children's Advocate corporate office. This process ensures confidentiality for the young person. Youth are given an opportunity to provide consent to use their comments in the course of our work, and for telling others about what they have to say about their involvement with us. See Appendix "C" for a copy of the survey form.

WHAT DO WE HEAR FROM YOUTH?

The questions on the survey are designed to determine if the advocacy service provided to youth model the values and principles set out by the



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program. Such questions as “Do you feel that your Advocate listened to you?” are intended to measure if our belief in listening to youth is actually experienced by youth. We also ask youth what they value most about the service. This helps us to determine if young people share our values, or if we need to make changes. We also ask youth what it is we could do to provide a better service to them. The last question on the form is intended to measure overall satisfaction of the young person with the services they received from the Children's Advocate.

Without exception, each year feedback from youth strongly indicates that they are satisfied with how advocacy services are provided to them. In fiscal year 2000-01, 83% of surveys that could be classified indicated the youth responding were satisfied.

Over the past eight years that information has been collected, the following trends indicate what youth value about the services. Although some themes have been stronger than others, from year to year youth consistently indicated that they most liked:

- **That the advocate listened to them and got others to listen to them.**
- **Having someone speak for them when they chose that option.**
- **Having someone support them to speak for themselves when they wished to do so.**
- **Receiving information and having choices.**
- **Having someone support their viewpoint.**
- **That they got what they wanted and needed.**
- **That their advocate treated them with respect.**
- **Their relationship with their advocate.**

One of the questions asked is “What did you like the most about what the advocate did?” Some examples of the responses received are as follows:

- “Listened to my concerns and didn’t push me to his/her decision.”
- “Talked for me. Said things I forgot to say.”
- “They would let you talk and tell them everything and then tell you what your options are and tell you what they think.”
- “She did what she said she would and didn’t mind standing up for my rights when social workers were wrong.”
- “Helped me get what I needed.”
- “Visit me (while) I’m in EYOC.” (Edmonton Young Offenders Center)
- “Advocate listened to me and showed a sincere genuine caring for me. He went above and beyond his role as an advocate, he was a friend.”
- “My advocate came to my school and picked me up. She would buy two apples.”
- “He drove me to my court date and made me feel safe.”

When youth were asked, “Is there anything that you think the advocate should have done which would have been more helpful for you?” most youth consistently said “no” and took the opportunity to thank the advocate. Each year there have been a small number of youth who offered suggestions. Some of the suggestions made during the year included:

- “(Advocate)” could have helped me get a new social worker that would listen to me and help me out with my placements or give me another program.”
- “Still be there for me when I’m 18 because I think of (Advocate) as a friend.”
- “Called me and told me what was going on.”
- “Talk to my social worker more about my situation.”
- “Helped me make better decisions about what was best for me.”

When youth were asked “Is there anything else you would like to say?” a variety of answers were given but each year a large number of youth express their thanks. During the year, 18 youth specifically thanked their advocate and some sent other messages such as:

- “I wish I heard of you earlier.”
- “I’m glad to see there are people who are about listening to youths.”
- “Keep working hard for kids.”
- “(Advocate) was very helpful and made a difference.”

The Children's Advocate has received few comments over the years from unsatisfied clients but each year there are some. During the year, four youths responded that they were not satisfied with the service they received.

In summary, the feedback received from our young clients consistently indicates that the values that guide the operation of the Office of the Children's Advocate are reflected in interactions with young people and are reflective of what young people find important. It is our experience that given the opportunity in a free and open manner, young people will respond and provide their input and experience with the child welfare system.

It is recommended that the Ministry of Children's Services (including the Child and Family Services Authorities), encourage, support, and develop strategies that collect and pay attention to the voices of the children and youth they serve. **If children are truly a priority, they should be seen and heard!**

APPENDIX A

Section 2 of the Child Welfare Act

Matters to be considered

2. A Court and all persons shall exercise any authority or make any decision relating to a child who is in need of protective services under this Act in the best interests of the child and in doing so shall consider the following as well as any other relevant matter:

(d) a child, if the child is capable of forming an opinion, is entitled to an opportunity to express that opinion on matters affecting the child and the child's opinion should be considered by those making decisions that affect the child;

- (f) the family is the basic unit of society and its well-being should be supported and preserved;**
- (g) the interests of a child should be recognized and protected;**
- (h) the family has the right to the least invasion of its privacy and interference with its freedom that is compatible with its own interest, the interest of the individual family members and society;**
- (i) a child, if the child is capable of forming an opinion, is entitled to an opportunity to express that opinion on matters affecting the child and the child's opinion should be considered by those making decisions that affect the child;**
- (j) the family is responsible for the care and supervision of its children and every child should have an opportunity to be a wanted and valued member of a family, and to that end**

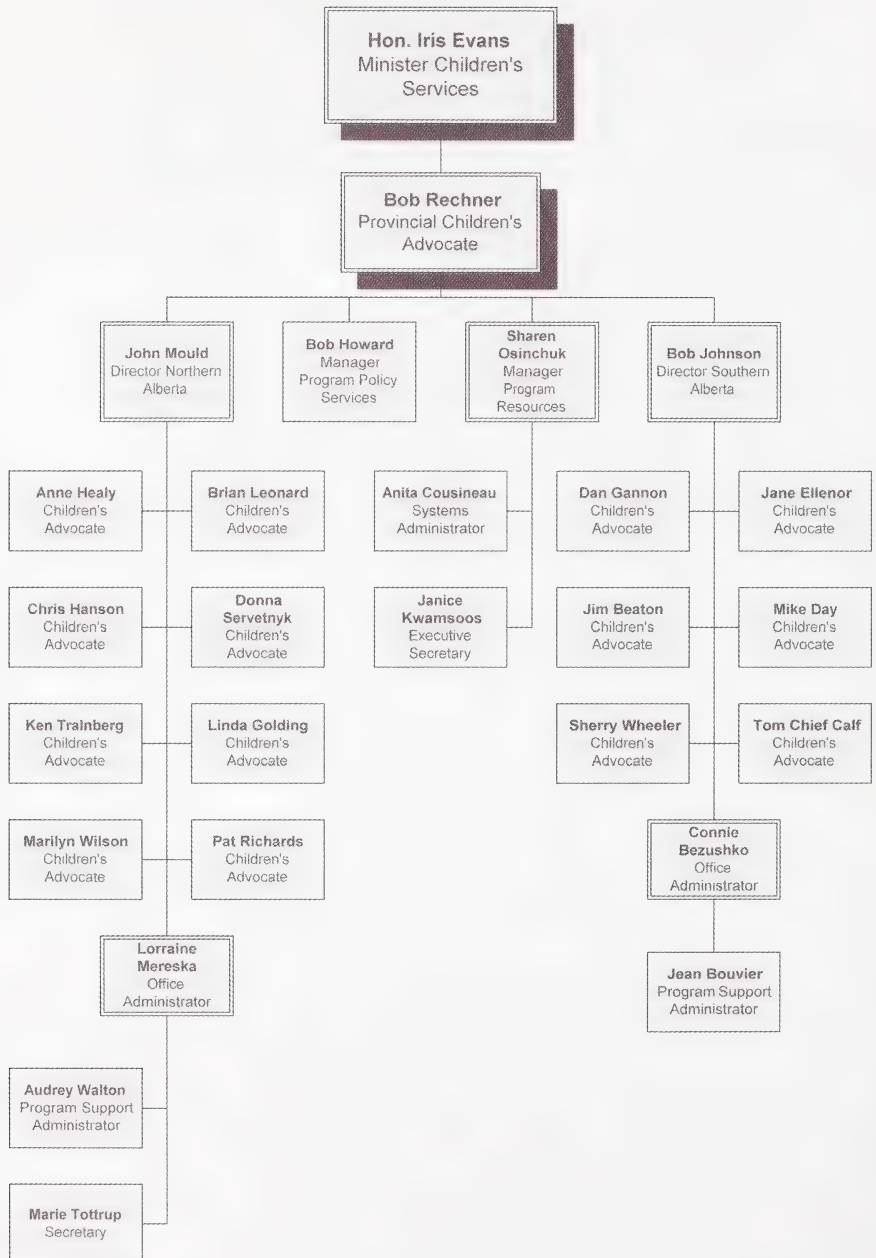
if protective services are necessary to assist the family in providing for the care of a child, those services should be supplied to the family in so far as it is reasonably practicable to do so in order to support the family unit and to prevent the need to remove the child from the family, and

- (i) a child should be removed from the family only when other less intrusive measures are not sufficient to protect the survival, security, or development of the child;**
- (k) any decision concerning the removal of a child from the child's family should take into account**
 - (l)**
 - (i) the benefits to the child of maintaining, wherever possible, the child's familial, cultural, social and religious heritage,**
 - (ii) the benefits to the child of stability and continuity of care and relationships,**
 - (iii) the risks to the child if the child remains with the family, is removed from the family or is returned to the family, and**
 - (iv) the merits of allowing the child to remain with the family compared to the merits of removing the child from the family;**
- (m) if it is not inconsistent with the protection of a child who may be in need of protective services, the child's family should be referred to community resources for services that would support and preserve the family and prevent the need for any other intervention under this Act;**

- (n) any decision concerning the placement of a child outside the child's family should take into account**
- (o)**
 - (i) the benefits to the child of a placement that respects the child's familial, cultural, social and religious heritage,
 - (ii) the benefits to the child of stability and continuity of care and relationships,
 - (iii) the benefits to the child of a placement within or as close as possible to the child's home community,
 - (iv) the mental, emotional and physical needs of the child and the child's mental, emotional and physical stage of development, and
 - (v) whether or not the proposed placement is suitable for the child;
- (p) the provision of protective services is intended to remedy or alleviate the condition that caused the child to be in need of protective services;**
- (q) if a child is being provided with care under this Act, the child should be provided with a level of care that is adequate to meet the needs of the child and consistent with community standards and available resources;**
- (r) if a child is being provided with care under this Act, a plan for the care of a child should be developed that will address the child's need for stability and continuity of care and relationships;**
- (s) a person who assumes responsibility for the care of a child under this Act should endeavour to make the child aware of the child's familial, cultural, social and religious heritage;**
- (t) there should be no unreasonable delay in making or implementing a decision affecting a child.**

APPENDIX B

Organizational Chart.



APPENDIX C:

Client Satisfaction Survey

LISTENING TO YOUTHS

1. How did you hear about the Children's Advocate?			
	Yes	No	Not Sure
2. Do you feel that your Advocate listened to you?			
3. Do you think that the Advocate understood you?			
4. Did you understand what the Advocate told you?			
5. Did the Advocate give you choices about how he/she would try to help you?			
6. Did the Advocate do what he/she said they would do?			
7. Do you feel that the Advocate helped you to be heard and to be involved in decisions others were making about you?			
8. Did the Advocate tell you about your rights so that you understood what you could do?			
9. Would you ask an Advocate to help you again?			
10. What did you like the most about what the Advocate did?			
11. Is there anything that you think the Advocate should have done which would have been more helpful for you?			
12. Is there anything else you would like to say?			
13. How would you rate your over all experience with the Children's Advocate office? (Please circle one number between 1 and 5)			
Very Unsatisfactory		Very Satisfactory	
1	2	3	4 5

COMPLETE THESE PARTS IF YOU WANT:

Name:
Age:
Date:
Advocate's Name:
May we use your comments in the course of our work at the Children's Advocate and in telling others about what you have to say about your involvements with us?
YES _____ NO _____

APPENDIX D

Notice of Referral to the Children's Advocate



Mandatory Notification to the Children's Advocate from a Child Welfare Staff Member

<p>1 Regarding the child</p>	<p>name _____</p> <p>born (year/month/day) _____</p>
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2 Notice

To the Children's Advocate.

This child is the subject of _____.

The child currently lives with _____ at _____.

The child's child welfare worker is _____.

3 Reason for Notice

I am notifying you because:

☐ The child disagrees with a proposed significant decision or plan.

☐ The child might have been emotionally, physically or sexually abused while in care.

☐ The significant people involved with the child strongly disagree about a proposed decision or plan.

Date _____ Time _____ Location _____

☐ I believe that the child's needs are not being met; the child's rights are not being protected; the child's viewpoint or interest is not being considered; or all relevant information is not being considered.

Additional Information: _____

Name _____	Date (year/month/day) _____
------------	-----------------------------

For Office Use Only

Child's I.D. Number: _____ Worksite Number: _____ Worksite Name: _____

APPENDIX E:

Summary of Recommendations

- that for the Office of the Children's Advocate to be truly independent and to be seen as independent by the public, it should become an office of the Legislative Assembly.
- that the Ministry of Children's Services put in place a standard that would require each regional authority to provide youth with information written in plain language. There needs to be an explanation of the benefits to which youth are entitled and of the process for accessing such benefits.
- that the Ministry ensure that Child and Family Services Authorities not terminate any service to youth without an impartial administrative review process in place to review such a decision prior to implementation. Where termination decisions are upheld in the Review process, benefits should continue until a hearing with the Child Welfare Appeal Panel is fully completed, should the young person seek such an appeal.
- the Ministry review the 1997 "Out of Home Placement Project" and re-double its efforts to address and deal with this chronic deficiency.
- that the Ministry require all group care facilities to have in place a grievance process that will allow young people's concerns to be heard in a timely and objective manner.
- that the Ministry find ways to encourage, support, and reinforce the good social work practice that does occur in the field.
- that the Ministry develop appropriate monitoring practices to identify when appropriate standards of client service are not met, and to take action for improvement.
- that steps be taken to ensure that competent, experienced, professional social work supervision be provided and supported by all levels within the child welfare system.
- child welfare staff and their managers receive a strong message from the Minister that discouraging referrals to the Children's Advocate is not acceptable.
- that the Ministry of Children's Services ensure that the foster home approval process, the foster home training program, and the level of support and monitoring provided to foster homes for both departmental and agency foster homes be sufficiently thorough to ensure that the risk of maltreatment is reduced to the extent possible.
- that in those cases where children are deemed to be in need of protection yet left in the care of family, the Ministry of Children's Services needs to strengthen and improve the assessment, supervision and support provided to these youths and their families.
- that the Alberta Government develop an independent external review process that could hear claims of maltreatment while in government care and award compensation on the merits of each claim.
- that the Ministry of Children's Services (including the Child and Family Services Authorities), encourage, support, and develop strategies that collect and pay attention to the voices of the children and youth they serve.

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